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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

06/17/2011 DALLEN 00000013 7285541

Patentees : Martin Gleave et al. 01 FC:1599 620.00 OP
Patent No. : 7,285,541
Issued : October 23, 2007
For : TREATMENT OF MELANOMA BY REDUCTION IN
CLUSTERIN LEVELS 07/08/2011 CKHLOK 0000174034
Serial No. : 10/646,391 CHECK Refund Total: \$130.00
Filed : August 21, 2003

30 Rockefeller Plaza
20th Floor
New York, NY 10112
June 10, 2011

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION TO CORRECT PAYMENT OF MAINTENANCE FEE UNINTENTIONALLY
PAID AT SMALL ENTITY RATE**

The owner of the above-identified patent hereby petitions to correct payment of a maintenance fee unintentionally paid at the small entity rate. This Communication is being submitted within the six-month grace period set forth in 37 C.F.R. §1.362(e).

On March 25, 2010, a Communication withdrawing the assignee of record's previously submitted claim for small entity status was filed in the above-identified patent. A copy of the Communication is attached hereto as Exhibit A. All fees paid prior to the filing of the March 25, 2010 Communication were

07/08/2011 CKHLOK 00000000 7285541

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490.00 OP

Adjustment date: 07/08/2011 CKHLOK
06/17/2011 DALLEN 00000013 7285541
01 FC:1599

-620.00 OP

Applicants : Martin Gleave et al.
U.S. Patent No.: 7,285,541
Filed : August 21, 2003
Page 2 of 3 of June 10, 2011 Petition to Correct Payment of
Maintenance Fee Unintentionally Paid at Small Entity Rate

properly paid while the assignee of record was entitled to small entity status. However, the Patent Office records for the subject patent were not updated following the filing of the March 25, 2010 Communication and continued to incorrectly identify the subject patent as being entitled to small entity status as recently as on April 15, 2011. Because the Patent Office records for the subject patent were not updated, on April 15, 2011 a computerized automated payment service incorrectly paid the 3.5 Year Maintenance Fee at the small entity rate.

To correct the deficiency a check in the amount of \$620.00 is enclosed, including \$490.00 for the fee deficiency in the 3.5 Year Maintenance Fee, and the \$130.00 surcharge for late payment of the 3.5 Year Maintenance Fee set forth in §1.20(h). An itemization of the deficiency in the fee paid follows:

Fee	Small Entity Amount Paid	Date Paid	Current Fee at Large Entity Rate	Amount of Fee Deficiency Owed
3.5 Year Maintenance Fee	\$490.00	April 15, 2011	\$980.00	\$490.00

Surcharge for late payment of 3.5 Year Maintenance Fee within 6 months: \$130.00


Total Amount Due: \$620.00

Finally, please update the U.S. Patent Office records for the subject patent to reflect that the assignee of record is no longer entitled to small entity status.

Applicants : Martin Gleave et al.
U.S. Patent No.: 7,285,541
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Maintenance Fee Unintentionally Paid at Small Entity Rate

No fee, other than the enclosed \$620.00 fee (\$490.00 for deficiency payment and a \$130.00 Surcharge for late payment of the 3.5 Year Maintenance Fee), is deemed necessary in connection with the filing of this Petition. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,


Gary J. Gershik
Registration No. 39,992
Cooper & Dunham LLP
30 Rockefeller Plaza
20th Floor
New York, New York 10112
(212) 278-0400

Certificate of Mailing

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

 6-10-11
Robert E Bolcome III Date

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: _____		2 Serial/Patent # <u>7285541</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
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<input type="checkbox"/>	Petition			\$
<input type="checkbox"/>	Issue			\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/>	Maintenance			\$
<input type="checkbox"/>	Assignment			\$
<input checked="" type="checkbox"/>	Other		6/14/11	\$ 130.00
		7 TOTAL AMOUNT OF REFUND		\$ 130.00
		8 TO BE REFUNDED BY:		
10 REASON:		<input checked="" type="checkbox"/> Treasury Check <input type="checkbox"/> Credit Deposit A/C #: 9 -- 		
<input type="checkbox"/>	Overpayment			
<input type="checkbox"/>	Duplicate Payment			
<input checked="" type="checkbox"/>	No Fee Due (Explanation):			
<p><i>paid unnecessary late surcharge fee</i></p>				
11 REFUND REQUESTED BY: _____				
TYPED/PRINTED NAME: <u>Joan Olszewski</u>		TITLE: <u>Petition Examiner</u>		
SIGNATURE: <u><i>Joan Olszewski</i></u>		PHONE: <u>571-272-7751</u>		
OFFICE: <u>Office of Petitions</u>				
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****				
APPROVED: <u><i>Chick</i></u>		DATE: <u>7/8/11</u>		

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